

APPENDIX B

Proposed Changes to Single Status Drivers Licences conditions and Hackney Carriage and Private Hire Vehicle conditions

Proposal	Mischief being addressed	Arguments in favour of change	Arguments against change	Proportionality	Grandfather rights issues	Proposed Wording of condition
<p>Maths/ English test for all new Single Status Driver Applicants</p>	<p>Potential for poor communications with the public/Failure to take shortest routes/inaccuracies in dealing with money</p>	<p>These mischiefs could be avoided if the proposals are adopted. Issues of communication in English are self-evident.</p>	<p>No evidence has been produced to demonstrate a need for Maths tests.</p>	<p>Limiting the English test to non-native English speakers would be more proportionate as would a focus on oral skills rather than the wider concept of verbal skills.</p> <p>Maths tests would not be proportionate.</p>	<p>Proposals to apply only to new driver applicants (returning driver applicants to be exempt)</p>	<p>Pre condition</p> <p>Prior to applying for a Single Status Driver's Licence applicants whose first language is not English must undertake an assessment of their oral skills in English.</p> <p>The assessment must be undertaken at an appropriate educational institution (for example Riverside College).</p>

						The details of level of competence in English which must be achieved is still to be determined
Spare Tyre / Space Saver Tyre or Sealant	Without some sort of spare tyre a puncture may prevent passengers from completing their journey. No conditions currently deal with this contingency.	The mischief could be minimised to an acceptable level by specifying minimum standards.	Banning sealants has been met with general approval but requiring a spare wheel and tyre for certain makes of vehicle would be expensive.	Giving a choice of having a spare wheel or a space saver tyre would be proportionate if applied to all vehicles.	To apply to all new vehicles on adoption of the policy and to all other vehicles after 12 months	<p>Condition</p> <p>Vehicle Condition</p> <p>Add new HCV condition 3.5 and new PHV condition 3.4 as follows:</p> <p>“The vehicle must be equipped with a full spare tyre or a space saver tyre as a minimum requirement. Tyre sealants shall not be</p>

						<p>sufficient”.</p> <p>SSD Condition</p> <p>Add new condition</p> <p>“When driving a licensed hackney carriage or private hire vehicle equipped with a space saver tyre the holder must be aware of and adhere to the VOSA requirements for the use of space saver tyres”.</p>
<p>Banning use of Electronic Cigarettes</p>	<p>Enforcement of the cigarette ban is made more difficult if e-cigarettes are allowed and the travelling public should not be subjected to</p>	<p>The mischief could be minimised</p>	<p>The Health Act 2006 does not ban e-cigarettes</p>	<p>This is an open question but the proposal would be consistent with the existing policy on Council premises and vehicles.</p>	<p>Not applicable. The policy would apply generally.</p>	<p>SSD Condition</p> <p>Add new condition</p>

	exposure to e-cigarette residues.					<p>“When in a licensed hackney carriage or private hire vehicle the holder must not smoke any electronic cigarette”.</p> <p>SSD Driver Condition</p> <p>Add new condition</p> <p>“The holder must not permit any passenger to smoke any electronic cigarette in any licensed hackney carriage or private hire vehicle being driven by the holder”.</p>
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Licensed vehicle – minimum luggage Space	The existing condition does not take into account the varied shapes of modern boots and could be interpreted in such a way as to block rear views	The goal of ensuring that at least 2 large suitcases plus a folded wheelchair can be carried has been met with general approval.	There are no agreed standards and there is no evidence that the existing condition causes a problem.	The proposal would be proportional if it is applied only to newly licensed vehicles. Full grandfather rights are therefore essential.	All vehicles currently licensed to be exempt.	<p>Condition</p> <p>Additional wording</p> <p>At the end of the definition of “Minimum useable luggage space” in clause 2 of the HCV and PHV conditions add:</p> <p>Minimum useable luggage space shall mean that the vehicle must be capable of accommodating as a minimum within its boot space two large suitcases and one fold-up wheelchair (“the luggage requirement”).</p> <p>In establishing</p>

						<p>compliance with the minimum useable luggage space requirement there shall be disregarded any 'boot space' higher than the top of any rear seat within the vehicle.</p> <p>The luggage requirement is in addition to any boot space which may be taken up by any spare wheel or space saver tyre.</p> <p>The calculations for establishing compliance with the luggage requirement shall be as follows:</p> <p>1. A folded Wheelchair shall be assumed to be not less than (in inches) $(43.5 \times 12.5 \times 13) = 729$</p>
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						<p>cu. inches (or 11.95 litres)</p> <p>2. One large suitcase shall be assumed to be not less than (in inches) 30 x 19 x 12 = 6840 cu. Inches (or 112.1 litres). Therefor</p> <p>Two large suitcases plus one folded wheelchair shall be assumed to be (in inches) 13680 + 729 = 14409 cu. inches (or 236.1 litres).</p> <p>Condition</p> <p>Deleted wording</p> <p>Delete "of 353 litres (12.5 cubic feet)" in HCV conditions 2.1.2(4) and</p>
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						2.1.3 (5) and PHV conditions 2.1.1 (4) and 2.1.2 (4).
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